IN THE HIGH COURT OF JUDICATURE AT PATNA
CR.MISC. NO.40780 OF 2008

1. SURYA NARAIN YADAV, SON OF TEJ NARAIN YADAV
2. DWARIKA PRASAD YADAV @ DWARIKA PRASAD, SON OF SURYA NARAIN YADAV
3. SINGHESWAR YADAV, SON OF RAM PRASAD YADAV

ALL RESIDENT OF VILLAGE BHOJ PANDOL, POLICE STATION BISFI, DISTRICT MADHUBANI

VERSUS

1. STATE OF BIHAR
2. RAM BUJNAN YADAV, SON OF SRI LAXMI NARAYAN YADAV AGED ABOUT 55 YEARS, RESIDENT OF BHOT PANDOUL, POLICE STATION BISFI, DISTRICT MADHUBANI

****

2 16.12.2008 It is submitted that petitioner no. 1 has been taken into custody. Accordingly, the application is dismissed as infructuous with regard to him.

Heard learned Counsel for the petitioners and learned Counsel for the State.

The petitioner nos. 2 and 3 apprehend arrest in a complaint case under Sections 323, 341, 379, 307, 504/34 of the Indian Penal Code.

The submission is that the alleged assault with a knife is attributed to petitioner no. 1 alone. In the dispute with regard to cutting of the tree, the allegation against petitioner nos. 2 and 3 is of assault omnibus.

Having considered the facts and circumstances of the case, let the petitioner nos. 2 and 3, namely, Dwarika Prasad Yadav @ Dwarika

WEB COPY NOT OFFICIAL

Prasad and Singheshwar Yadav surrender before the Court below within four weeks when they shall be enlarged on anticipatory bail upon furnishing the bail bonds of Rs. 10,000/- (ten thousand) each along with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhubani in connection with C. R. No. 1187 of 2008 (Trial No. 645 of 2008).

The application is rejected with regard to petitioner no. 1.

Anand (Navin Sinha, J.)

WEB COPY NOT OFFICIAL